DOCUMENT RESUME

ED 478 950 CE 085 169

AUTHOR	Wonacott, Michael E.
TITLE	Employment of People with Disabilities. ERIC Digest.
INSTITUTION	ERIC Clearinghouse on Adult, Career, and Vocational Education, Columbus, OH.
SPONS AGENCY	Office of Educational Research and Improvement (ED), Washington, DC.
REPORT NO	EDO-CE-03-247
PUB DATE	2003-00-00
NOTE	4p.; Digest number 247.
CONTRACT	ED-99-CO-0013
AVAILABLE FROM	For full text: http://www.ericacve.org/pubs.asp.
PUB TYPE	ERIC Publications (071) -- ERIC Digests in Full Text (073)
EDRS PRICE	EDRS Price MF01/PC01 Plus Postage.
DESCRIPTORS	Accessibility (for Disabled); Adult Education; Adults; Affirmative Action; *Assistive Technology; *Disabilities; Disability Discrimination; Employment Patterns; *Employment Practices; *Equal Opportunities (Jobs); Federal Legislation; *Job Applicants; Job Search Methods; Labor Legislation; Personnel Policy; *Personnel Selection; Physical Mobility; Salary Wage Differentials; Self Disclosure (Individuals)
IDENTIFIERS	*Americans with Disabilities Act 1990; ERIC Digests

ABSTRACT

With its definitions of individuals' and employers' rights and obligations, the Americans with Disabilities Act (ADA) is a mandate and a statement of our moral and ethical values as a culture. Persons with disabilities and employers must apply ADA's "triple standard" of reasonable accommodations for performing essential job functions without undue hardship to find individuals that match jobs and jobs that match individuals. Ten years after ADA's passage, workers with disabilities are older, work fewer hours, and are more likely to be single and less likely to have a college degree. They are still disproportionately represented in low-growth, low-wage occupations. Under ADA, the individual has the right to choose when or whether to disclose his or her disability or related information, but employers cannot be expected to provide reasonable accommodation for an undisclosed disability. Job seekers are advised to script and rehearse disclosure, minimizing medical terms, omitting medical treatment history, and describing the disability briefly with stress on strengths and willingness to improve and ability to perform with or without accommodations. Reasonable accommodations range from simple to complex and cheap to expensive; information on them is available from many sources, including websites. Strengthened mechanisms are needed to help workers with disabilities and employers find appropriate matches between jobs and skills. (Contains 14 references.) (YLB)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 478 950

Employment of People with Disabilities
ERIC Digest No. 247

Michael E. Wonacott

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

ERIC Clearinghouse on Adult, Career, and Vocational Education
Center on Education and Training for Employment
College of Education
The Ohio State University
1900 Kenny Road
Columbus, OH 43210-1090

CE065169

BEST COPY AVAILABLE

ERIC Educational Resources Information Center

Clearinghouse on Adult, Career, and Vocational Education

ERIC DIGEST

no. 247

by Michael E. Wonacott

2003

EDO-CE-03-247

Employment of People with Disabilities

Successful employment remains a critical issue for people with disabilities, although legislative mandates and a gradual change in attitudes across our culture have brought about some improvement. The Americans with Disabilities Act of 1990 has clarified the legal rights of both individuals with disabilities and employers; at the same time, however, both groups still face important issues in employment, such as the disclosure of disabilities and the provision of reasonable workplace accommodations. Likewise, successful employment experiences require a match between the skills of individuals with disabilities and the skills needed for jobs.

The Americans with Disabilities Act

Federal legislation addressing people with disabilities began with the National Civilian Vocational Rehabilitation Act of 1920. The Americans with Disabilities Act (ADA) of 1990 prohibited discrimination and mandated accommodations in multiple dimensions of the lives of people with disabilities (Hotchkiss 2003). ADA holds all companies with 15 or more employees to a single standard in the employment and accommodation of workers with disabilities (Schall 1998). A "triple standard" of qualification under ADA is intended to balance the interests of both individuals and employers: whether the individual can perform (1) the ***essential functions*** of the job with (2) a ***reasonable accommodation*** and without causing (3) ***undue hardship*** to the employer. The ADA defines terms as follows (Latham and Latham 1997):

- **Disability:** physical or mental impairment that substantially limits one or more major life activities of the individual
- **Qualified individual with a disability:** person who meets legitimate skill, experience, education, or other requirements of an employment position held or sought and who can perform the position's essential functions with or without reasonable accommodation
- **Reasonable accommodation:** any modification or adjustment to the work environment or job that will enable a qualified job seeker or job holder with a disability to apply or to perform essential functions; includes adjustments to ensure a qualified individual has equal rights and privileges
- **Essential function:** a function that is necessary for the performance of the job
- **Nonessential function:** a function that may be marginal, modified, eliminated, transferred, or reassigned

Under ADA, individuals are considered disabled if they have a disability, have a record of impairment, or are regarded as having an impairment. Major life activities are things an average person can do with little or no problem (e.g., walking, speaking, working, learning). Covered employment practices include recruitment, hiring, training, pay, benefits, promotions, leave, job layoffs, and firing.

Workers with Disabilities and the Labor Market

Hotchkiss (2003) analyzed Current Population Survey data to investigate the status of disabled workers (i.e., workers with a disability as defined in ADA) in the labor market 10 years after the passage of ADA. She found that workers with disabilities, taken as a group, were about 6 years older than other workers, worked about 4 fewer hours per week, and were more likely to be single and less likely to have a college degree. Before ADA, persons with disabilities were less likely to participate in the labor force or to be employed. After ADA, the discrepancy increased; however, controlling for labor force participation, the relative employment rates of persons with and without disabilities remained constant. Workers with disabilities were more likely than other workers to be employed in large firms. Although wages among all workers with disabilities, as a group, declined in comparison to those of other workers, the wages of ADA-covered workers with disabilities did not experience such a decline. Part-time employment increased for workers with disabilities, primarily due to an increase in voluntary part-time employment, especially among workers with mental disorders. Workers with disabilities continued to be disproportionately represented in low-growth, low-wage occupations, although somewhat less so than before the passage of ADA. Compared to other workers, workers with disabilities were more likely to experience voluntary job separation and less likely to experience involuntary separation and, on average, spent 3 weeks longer in job searches.

Rojewski (1999) analyzed 1996 data from the National Education Longitudinal Study: 1988 on 11,178 participants 2 years after high school completion, including 441 young adults with learning disabilities (LD) and 10,737 without. LD participants had lower graduation rates, aspired to less prestigious occupations, were less likely to be enrolled in postsecondary education, and were more likely to be employed. Disabilities were associated with lower rates of working or being in the labor force but *not* with lower postsecondary participation—high educational aspirations in grade 12 and completion of an academic or college prep high school program were both predictors of 2-year postsecondary status for all students; disabilities were not. Similarly, Goldstein, Murray, and Edgar (1998) conducted annual telephone interviews over 5 consecutive years to gather post-high-school status information on earnings and hours worked per week of graduates with and without LD from three large midwestern U.S. school districts. In the first 5 years following graduation, graduates with LD had higher annual earnings and worked more hours per week, whereas the reverse was true in the second 5 years after graduation—presumably reflecting the higher likelihood that those without disabilities were more likely to participate in postsecondary education immediately or soon after high school. In addition, students with LD were less likely to participate in any form of postsecondary education or to have graduated from any postsecondary program 10 years after graduation (Murray et al. 2000). However, that lesser likelihood did not seem to matter much: there was little relationship between the postsecondary education status of students with LD and either their employment or their earnings.

Disclosure of Disabilities

Under ADA, it is the individual's right to choose when or even whether to disclose his or her disability or any related information; however, employers cannot be expected to provide reasonable accommodation for a disability that has not been disclosed (Payne 1997). Kerner and Kucinski (1998) advised disclosure of disability before an interview only when the disability required accommodation for the interview itself and disclosure only after a job offer was received when accommodation is required for performance of essential job functions. ADA prohibits employers from asking about disabilities before employment, although they may ask for medical information and information on qualifications (Colorado Career Web 2001). Employers can request a preemployment medical examination after making a conditional job offer to the applicant—if all applicants are subject to the same examination. Job seekers were advised to script and rehearse disclosure of disability, minimizing medical terms, omitting their history of medical

BEST COPY AVAILABLE

treatment, and describing the disability briefly with stress on strengths and willingness to improve and ability to perform with or without accommodations.

Workplace Accommodations

Reasonable accommodations for workers with disabilities can range from simple to complex and cheap to expensive (Colorado Career Web 2001; Kramer 2001; Latham and Latham 1997; Payne 1997); accommodations allow the worker with disabilities to perform the essential functions of the job and hence depend on the worker's disability and its effect on performance of essential job functions. Accommodations may include providing written, step-by-step instructions for job tasks; flexible work and leave schedules; rearrangement of work stations for accessibility; alternative keyboards, voice recognition software, and mobility or ergonomic assistive devices. A wealth of information on reasonable accommodations is available at three websites, among other sources:

- The *Job Accommodation Network* <http://www.jan.wvu.edu> is a free service offered by the Office of Disability Employment Policy of the U.S. Department of Labor that provides information and consulting on job accommodations, self-employment and small business opportunities, and related subjects to employers, people with disabilities, and others.
- The *Office of Disability Employment Policy* of the U.S. Department of Labor provides fact sheets and other publications <http://www.dol.gov/odep/pubs/publicat.htm> on a range of employment issues for people with disabilities, including job accommodations.
- *DisabilityInfo.gov* <http://www.disabilityinfo.gov/employment> is a comprehensive federal website of disability-related government resources; it provides information on job accommodations and identifies resources for technical assistance.

Job Matching

A recurring theme in employment of people with disabilities is the need to match the individual's skills with employer needs. Describing the Marriott Foundation's "Bridges...from School to Work" program, Donovan and Tilson (1998) reported that successful employment outcomes depended on the synergy of matching needs with capabilities, with the employer's needs coming first. Hotchkiss (2003) theorized that workers with disabilities and employers may both put greater effort into matching worker skills with job requirements; Hotchkiss called for strengthened mechanisms to help both groups find appropriate matches between jobs and skills. Similar matching of individuals' skills and interests with appropriate jobs was a feature of an exemplary school-to-work program (***Project Forward*** 1997), and Rademacher and Taymans (1998) described how environmental supports can increase the match between the skills of adults with LD and jobs. Hughes and Kingsford (1997) advocated work sampling, a form of occupational exploration in which individuals with disabilities receive brief exposure to different jobs, both to identify individuals' skills and to help them identify appropriate jobs.

Conclusion

With its definitions of individuals' and employers' rights and obligations, ADA is not only a mandate but also a statement of our moral and ethical values as a culture (Hotchkiss 2003). However, individuals with disabilities continue to enjoy less positive employment experiences overall than their peers. Persons with disabilities and employers must apply ADA's "triple standard" of reasonable accommodations for performing essential job functions without undue hardship in practice to find individuals that match jobs and jobs that match individuals.

References

Colorado Career Web. ***A Job-Hunting Guide for Colorado Citizens with Disabilities.*** Denver: CCW, Community Colleges of Colorado, 2001. (ED 462 595) http://www.coloradocareer.net/Disabilities.pdf

Donovan, M. R., and Tilson, G. P., Jr. "The Marriott Foundation's 'Bridges...from School to Work' Program—A Framework for Successful Employment Outcomes for People with Disabilities." ***Journal of Vocational Rehabilitation*** 10, no. 1 (February 1998): 15-21.

Goldstein, D. E.; Murray, C.; and Edgar, E. "Employment Earnings and Hours of High School Graduates with Learning Disabilities through the First Decade after Graduation." ***Learning Disabilities Research & Practice*** 13, no. 1 (1998): 53-64.

Hotchkiss, J. L. ***The Labor Market Experience of Workers with Disabilities: The ADA and Beyond.*** Kalamazoo, MI: W. E. Upjohn Institute for Employment Research, 2003.

Hughes, M., and Kingsford, M. ***A Real Job—with Prospects: Supported Employment Possibilities for Adults with Learning Difficulties and Disabilities. FEDA Paper.*** London, UK: Further Education Development Agency, 1997. (ED 406 551)

Kerner, T., and Kucinski, C. ***Quick Results in Your Job Search: A Job Search Manual for Prospective and Recent Graduates with and without Disabilities.*** Springfield, MA: Office of Disability Services, Springfield Technical Community College, 1998. (ED 432 112)

Kramer, F. D. ***Screening and Assessment for Physical and Mental Health Issues that Impact TANF Recipients' Ability to Work. Issue Notes 5, no. 3.*** Washington, DC: Welfare Information Network, February 2001. (ED 451 415) http://www.welfareinfo.org/physicalandmentalissuenote.htm

Latham, P. H., and Latham, P. S. "Legal Rights of Adults with Learning Disabilities in Employment." In ***Learning Disabilities and Employment,*** edited by P. J. Gerber and D. S. Brown, pp. 39-55. Austin, TX: Pro-Ed, 1997. (ED 409 691)

Murray, C.; Goldstein, D. E.; Nourse, S.; and Edgar, E. "The Postsecondary School Attendance and Completion Rates of High School Graduates with Learning Disabilities." ***Learning Disabilities Research & Practice*** 15, no. 3 (Summer 2000): 119-127.

Payne, N. "Job Accommodations: What Works and Why." In ***Learning Disabilities and Employment,*** edited by P. J. Gerber and D. S. Brown, pp. 255-273. Austin, TX: Pro-Ed, 1997. (ED 409 691)

Project Forward: School-to-Work Outreach Project 1997. Exemplary Model/Practice/Strategy. Minneapolis: Institute on Community Integration, University of Minnesota, 1997. (ED 412 351)

Rademacher, J. A., and Taymans, J. "Issues in Working with Older Adults with Learning Disabilities: Transitions at Any Age." ***Journal for Special Needs Education*** 20, no. 3 (Spring 1998): 9-18.

Rojewski, J. W. "Occupational and Educational Aspirations and Attainment of Young Adults with and without LD 2 Years after High School Completion." ***Journal of Learning Disabilities*** 32, no. 6 (November-December 1999): 533-552.

Schall, C. M. "The Americans with Disabilities Act—Are We Keeping Our Promise? An Analysis of the Effect of the ADA on the Employment of Persons with Disabilities." ***Journal of Vocational Rehabilitation*** 10, no. 2 (April 1998): 191-203.

This project has been funded at least in part with Federal funds from the U.S. Department of Education under Contract No. ED-99-CO-0013. The content of this publication does not necessarily reflect the views or policies of the U.S. Department of Education nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government. *Digests* may be freely reproduced and are available at <http://ericacve.org/digests.asp>.

Center on Education and Training for Employment
College of Education
The Ohio State University
1900 Kenny Road
Columbus OH 43210-1090

U.S. Department of Education
Office of Educational Research and Improvement (OERI)
National Library of Education (NLE)
Educational Resources Information Center (ERIC)

NOTICE

Reproduction Basis

	This document is covered by a signed "Reproduction Release (Blanket)" form (on file within the ERIC system), encompassing all or classes of documents from its source organization and, therefore, does not require a "Specific Document" Release form.
X	This document is Federally-funded, or carries its own permission to reproduce, or is otherwise in the public domain and, therefore, may be reproduced by ERIC without a signed Reproduction Release form (either "Specific Document" or "Blanket").